

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CAROL A. GRIEB, et al.	:	CIVIL ACTION
	:	
v.	:	
	:	
JNP FOODS, INC. d/b/a	:	
PIZZA HUT, INC.	:	NO. 15-1575

ORDER

AND NOW, this 13th day of May, 2016, for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

(1) the motion of JNP Foods, LLC<sup>1</sup> to vacate entry of default and the default judgments (Doc. # 23) is GRANTED;

(2) the default judgments entered against JNP Foods, Inc. and in favor of plaintiffs Carol A. Grieb and Tammy A. Reynolds (Doc. # 17) are VACATED;

(3) the default entered against JNP Foods, Inc. is VACATED;

(4) the plaintiffs shall serve JNP Foods, LLC with the summons and complaint on or before June 13, 2016;

(5) the motion of the plaintiffs "pursuant to Rule 60(A) to correct misnomer in judgment via amendment to judgment changing name of defendant from JNP Foods, Inc. dba Pizza Hut to JNP Foods, LLC dba Pizza Hut" (Doc. # 25) is DENIED as moot; and

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1. JNP Foods, LLC was erroneously identified as JNP Foods, Inc. in the complaint.

(6) the motion of the plaintiffs "for leave to conduct discovery as precedent to seeking leave from the court to file sur-reply to reply of defendant to response of plaintiff to defendant's pending petition to vacate default and default judgment" (Doc. # 30) is DENIED.

BY THE COURT:

/s/ Harvey Bartle III

J.